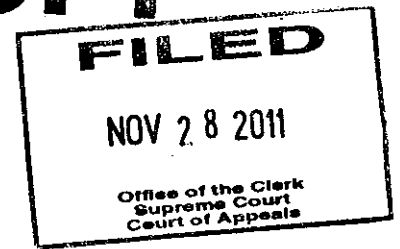


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IN THE SUPREME COURT FOR
THE STATE OF MISSISSIPPI



IN THE MATTER OF THE CONSERVATORSHIP CAUSE NO. 2011 - 780 B
OF MEDORA SALTER WEAVER

2011-CA-1179 T

Certificate of Interested Persons: The undersigned *pro se* Appellant hereby
certifies that the following listed persons
have an interest in the outcome of this case:

<u>Name</u>	<u>Connection</u>	<u>Interest</u>
Arthur Johnston, Ch.Clerk	Conservator	Money of the Ward
Cynthia Brewer	Chancery Judge	Money of the Ward
Caryn Quilter	Niece of the Ward	Money, other property of the Ward
Medora Salter Weaver	Subject Person	Resuming her Civil Rights

BRIEF

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STATEMENT OF THE ISSUES

1) CIVIL RIGHTS VIOLATION

This is a case of violation of Civil Rights of an individual claimed by the Court to be nothing more than the fact that the Ward suffers from a diagnosis of *dementia*. Subject person is not *non compos mentis* by even the greatest stretch of imagination. The medical doctors' attestations that she is mentally incompetent to care for her own affairs are questionable at best, as merely being a licensed Medical Doctor does not signify that there is any more expertise at making such determination than would be obtained from any casual observer walking down the street. Medical school training includes no mention of this subject. The ward does well remember her childhood, her fifty-five years of teaching school in Houston, Texas but she has difficulty remembering what she has done today, which the medical profession terms *dementia*. Civil rights include the ability to travel, to own and accumulate property, to make one's own decisions minus governmental intrusion – in short, all the rights and privileges guaranteed by the Bill of Rights and the 13th, 14th, 15th, and 19th Amendments to the United States Constitution as well as by certain Acts legislated by the various Congresses and by The State of Mississippi. These Civil Rights have been unconstitutionally and summarily stricken from Medora S. Weaver through a precipitate and unwarranted action by the Chancery Judge and handed to the

Chancery Clerk instead of to the ward's next-of-kin, her Brother, John A Salter, who is the Appellant herein. Why this was done is only a matter of conjecture as there is no legal authority for such a decision in the presence of there having been a strongly expressed desire on the part of the ward to have her brother, whom she has known and trusted her entire life, and who desires to be her Conservator only because that is exactly what she wanted to be done. The ward remembers that her own mother, Medora L. Salter, had a considerable estate that was put under a court-appointed Conservator but which was almost totally wasted and dissipated until her brother John was awarded Conservatorship to conserve the few dollars remaining after court costs, legal fees, and wrongful decisions regarding her estate. Appellant avers that he never received even one cent from his Mother's estate at any time for any purpose before, during or after his tenure as Conservator, but that he did in fact use the entire remaining portion exclusively to the benefit of his mother.

2) REAL AND PERSONAL PROPERTY

During her working lifetime, the ward did, along with her now deceased husband, accumulate approximately one quarter million dollars most of which was held in cash in two Houston, Texas banks. She also owned two low mileage vehicles, a GMC Sonoma pickup truck and a Buick Roadmaster, several rifles, shotguns and pistols of very high collector quality, and a mostly-rare coin collection estimated to be worth

several thousands of dollars – there is no requirement that these should be sold by the Conservator. It is deemed appropriate, however, that the two condominium units the ward owns in Houston be sold and converted to her cash account which is held by the present Conservator but in a location unknown to the ward, nor does she know that it is being invested so as to gain more than one per cent interest. In days long gone by, it was deemed prudent and unavoidable to keep cash held in trust in United States government Bonds, but these today pay little or no interest over any period of time, therefore, due to incessant inflation, it is imprudent to buy government bonds, including those issued by municipal and state governments. Appellant herein has been an avid student of investments for at least fifteen years, a student of government and all its ramifications for at least twenty-five years, and a student of health and how to retain it at least for fifty years, and while he claims no expertise in any of these disciplines, he at least knows somewhat more than the usual person about these subjects. He knows that he is well qualified to Conserve his sister's assets for her best benefit and happiness, and that he should have been named Conservator rather than the present person, inasmuch as he is the ward's next-of-kin, which legally qualifies him over the desire of anyone else, especially in light of the ward's demands that were not considered during the court hearing as if they were unheard. She was mistreated during the court hearing as if she were demented, while the

Chancery Court is supposedly a court of Justice more than a court of laws. The judge was determined not to allow the ward's desire to be heard nor considered, as the judge's unwise determination to ask the Chancery Clerk to be her Conservator was apparently reached prior to the court hearing.

3) KIDNAPING CHARGE

The ward (who has been affectionately known as "Sugar" all of her life) was bodily picked up by Caryn Quilter's husband, Steve Quilter, thrown into the back seat of her Buick automobile and driven against her will to Ridgeland, Mississippi where she was taken to live at "The Blake" residence building, a very well managed facility beautifully maintained and whose residents are properly cared for. This constituted an act of kidnaping, taking someone against their will who at that time had not been legally classified as suffering from *dementia* and who loudly protested what was happening to her. Caryn Quilter who, with husband Steve Quilter, perpetrated this crime supposedly in the best interests of the ward, but there was no legal authority to force anyone into doing anything at that time. Caryn Quilter had indeed talked the ward into signing a Power of Attorney form while being told that all it would do would be to allow Caryn, a licensed lawyer, to help the ward manage her affairs, but there was no mention of any plan to take over control of her body and all of her

personal possessions via a Conservatorship, which in fact constituted a lack of full disclosure leading to a contract of which the ward was unaware, and of which she emphatically wanted no part.

3) MISTREATMENT OF THE WARD—OATH OF OFFICE

At this time, the ward is being held captive without any money nor access to any of her property, which does not allow her to even buy a tube of toothpaste. She is being treated as a convict, in acceptable surroundings, to be sure, but taken there in an effort to cover up the facts of the kidnaping case. Her driver license and other personal identification papers have been taken from her apartment apparently by Caryn Quilter who is niece only, not Conservator nor does she hold any other legal tie to the ward now that the Conservatorship has supplanted the formerly binding Power of Attorney. There is no legal justification for this mistreatment of the ward as she has committed no crime, not broken any law nor regulation, and demands that her God-given and Constitution-guaranteed Civil Rights not be trampled upon any longer. Every officially-appointed or politically-elected person connected to this case swore upon access to their political office that they would support and uphold the Constitution for The United States, but in this case they have foregone their sworn oath, which negates any position or title they now hold.

4) EFFORT TO REGAIN PERSONAL PROPERTY

For some time, the ward had asked the Appellant to take her to Houston in order that she be able to make certain that her property was still in good condition, also that she could bring back some personal items such as clothing and other items of great value and personal sentiment and interest. After asking three friends who are lawyers whether it would be permissible to make this trip, Appellant felt assured that there could be no harm unless there would be some effort to re-establish her place of legal residence in Texas, away from the local Chancery Court. Therefore, since any such action was not the ward's aim, Appellant took her to Houston where it was found that the Conservator had changed the locks on all doors which prevented the ward from entering her property, or salvaging any clothing or other articles that were valuable to her alone. After taking into consideration all present facts, the ward decided that we should immediately return to Mississippi, but after leaving Louisiana we took a wrong turn in the road after having some small automobile trouble, repaired in only a few minutes, but our journey was in the wrong direction, southbound instead of north toward home. About this time, Appellant's cell phone rang, being called by Arthur Johnston, Conservator, asking where Appellant was located at that time. Appellant replied that the location was unknown, but somewhere south of Jackson. Thinking that he had hung up on the conversation, Appellant tried to call him back.

It was then discovered that the phone was inoperative because the battery had died. It was heard to ring again twice but could not answer as it went dead. Appellant finally got directions in the dead of night from a passing motorist, finding that his location was again in Louisiana instead of Mississippi, having no illumination except automobile headlights. The Appellant and ward arrived back at her home place around 3 a.m. Apparently this upset the Conservator so much that he got the judge to issue an order forbidding the Appellant to see the ward anywhere except at her residence. This restricts Appellant from taking his sister to church, or to have lunch or any other activity outside the residence building. This action on the part of the Conservator and the judge are beyond description and should be rescinded if this Appeal is disallowed.

STATEMENT OF THE CASE

The nature of this case is that a Conservatorship for the ward, MEDORA SALTER WEAVER, was established errantly by the Judge which should be rescinded and made null and void. This is a family matter and a family member, next-of-kin, should be Conservator, which is the plainly explained wish of the ward, and the Appellant is qualified, willing to perform in the best interests of the ward, so there is no legal reason to deny this Appeal.

SUMMARY OF THE ARGUMENT

Appellant's Argument is based on the ward's Civil Rights as plainly enumerated in The Constitution for the United States, which have been flagrantly violated for what cause could only be speculated that there could be an effort to gain control of a large sum of money in anticipation that death overtakes very quickly many persons who suffer from Alzheimer's Disease. The ward's nemesis may not be Alzheimer's Disease but only a form of dementia that is easily reversed with proper nutrition and elimination of certain un-natural substances deemed acceptable by FDA (the Food and Drug Administration). These include all sugar substitutes, low-fat manufactured foods and beverages, while many other natural foods that create higher brain function and reduced age-related dementia are known by researchers to be helpful and effective in reducing dementia and even reversing its symptoms in some cases.

Whether subject ward is ever cured of dementia is not the plea here, but the restitution of her civil rights as sworn to be upheld by the Chancery Judge and by the Chancery Clerk but obviously denied by them, is what is sought because it is incumbent upon this Court as well as other Courts in Mississippi to be transparently clear that the Constitution and all its implications will be upheld, not trampled upon as in this case.

ARGUMENT

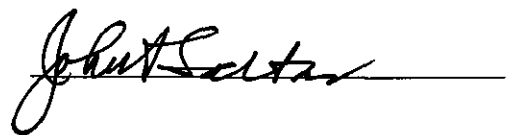
Appellant prays that this Court shall know and understand the viewpoint of the ward who is not incapable in any manner other than at the present time she is unable to remember some events occurring at this time. She is fully capable of understanding her civil rights but she can not understand how any civilized American could keep her incarcerated after being kidnaped, all in violation of her rights as a free American Citizen. Even though she lives in a facility that does not have bars across windows and doors, she still feels that she is mistreated due to the fact that she has no say-so over her personal and real property, that she has violated no law, she has no ability to leave the facility with anyone she chooses, but she does recognize that she could use some help in some of her affairs which requires either that the Conservatorship be changed to her brother, the Appellant herein, or else that it be totally rescinded. Currently appointed Conservator, acting as Chancery Clerk of Madison County, refused to accept for recordation the Petition for Conservatorship offered by Appellant because the Clerk claimed that no *pro se* petition could be accepted because it must have the imprimaturof a local law firm. When did Mr. Johnston become enabled to make laws or regulations by which the citizenry must abide? He had been in contact with Caryn Quilter previous to Appellant's visit to his office so he knew she would bring a similar petition for recordation, which he accepted in even

though it had no imprimatur of any law firm, in opposition to Appellant's petition. Appellant's petition was later represented by a licensed law firm at much greater expense than would have been necessary had the *pro se* petition been accepted. The entire case smells of the possibility of wrong-doing on the part of all persons mentioned herein above.

CONCLUSION

Appellant prays that this honorable Court take into consideration all of the facts, and direct the Chancery Court Judge of Madison County Mississippi to appoint Appellant to be Conservator as the ward wishes. Also, to allow Appellant to present oral argument if there is any area or points not adequately covered in this petition. Please note that this is the first "Brief" Appellant has ever prepared, and never having seen such a document, it is not certain to be exactly of form and substance that is proper, expected and required. Appellant asks forgiveness where his ramblings are too lengthy or inconclusive.

Appellant knows of no other case law upon which his case could be based, nor does he know of any Laws or Regulations that pertain to this case other than the portions of the Constitution quoted above.

A handwritten signature in black ink, appearing to read "John H. Satter", is written over a horizontal line.



ARTHUR JOHNSTON
MADISON COUNTY CHANCERY CLERK
P. O. BOX 3294
RIDGELAND, MS 39158
JOHNSTON@MADISON-CO.COM

PHONE 601-855-5526

FAX 601-855-5759

November 2, 2011

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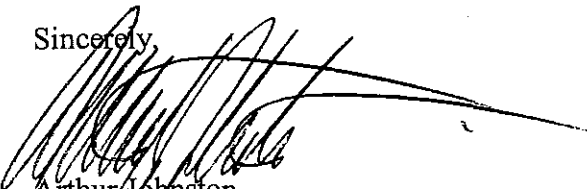
Mr. John Salter
848 Lakeland Drive
Jackson, MS 39216

RE: *Conservatorship of Medora Salter Weaver*, Cause No. 2011-780-B

Dear Mr. Salter:

Enclosed herewith please find a certified copy of the Court's Order entered today. Please note that you may only visit Ms. Weaver at The Blake.

Sincerely,


Arthur Johnston
Chancery Clerk

AJ/st
Enclosure

cc: Ms. Debby Gooch ✓

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE CONSERVATORSHIP
OF MEDORA SALTER WEAVER

NO. 2011-780-B

ORDER

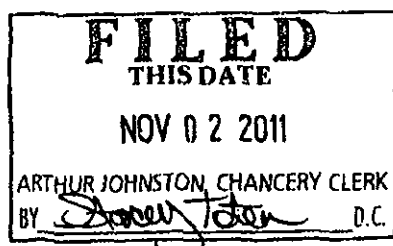
THIS CAUSE having come before the Court *sua sponte*, and the Court, having taken judicial notice of the events occurring during the late evening and early morning hours of October 31, 2011 and November 1, 2011 pertaining to the ward herein, Medora S. Weaver, as those events are set forth in that certain report filed by Arthur Johnston, Chancery Clerk of Madison County, Mississippi with the Ridgeland Police Department, a true and correct copy of which is on file with said Department as Case No. 2011-016958, finds and orders as follows:

1. Mr. John Salter is hereby restrained from removing the ward, Medora Salter Weaver from her residential facility, The Blake, until further order of this Court. Mr. Salter may visit with the ward, but must do so at The Blake.

2. In the event Mr. Salter or anyone acting on his behalf removes Medora Salter Weaver from The Blake,

- (a) Officials at The Blake are directed to advise both the Conservator and the Ridgeland Police Department of such fact and of the violation of this Order, and
- (b) Upon such notification, any sworn law enforcement officer is hereby ordered and directed to apprehend John Salter and the ward, Medora Salter Weaver, and return the ward to her residential facility, The Blake, immediately.

SO ORDERED AND ADJUDGED, this the 2nd day of November, 2011.



Cynthia Brewer
CHANCELLOR
STATE OF MISSISSIPPI
MADISON COUNTY

I, Arthur Johnston, Chancery Clerk of the above named County and State, do certify that the foregoing instrument is a true and correct copy of the original. Witness my signature and seal of court
This the 2nd day of November, 2011
ARTHUR JOHNSTON, CHANCERY CLERK
BY: *Arthur Johnston* D.C.

